

Future Check: Police, Crime, Sentencing and Courts Bill

The Police, Crime, Sentencing and Courts Bill makes provision for new offences and the modification of existing offences, the sentencing, detention, release, management and rehabilitation of offenders, the powers of the police and other authorities for the purposes of preventing, detecting, investigating, prosecuting crime, and maintaining public order.

IMPACTS ON FUTURE GENERATIONS

- + Provisions in the Bill including the treatment and rehabilitation of youth offenders will have positive outcomes for social security.
- + Providing clarity on issues such as the Police Covenant and processes for police and the courts makes rights and obligations clearer.
- + The Bill's intention to combat knife crime recognises an escalating problem and we welcome the 'Public Health' approach.
- The long-term impact of increased police powers, and the transfer of power from the courts to the Secretary of State, need further consideration to avoid threatening the separation of powers and altering our democracy for future generations.
- This bill gives police additional powers to crack down on protests. Protests are critical for future generations since they typically address long term issues which governments aren't addressing.

POLICY GAPS IN THE LONG TERM and suggested questions and interventions for Parliamentarians

Protests are a manifestation of a disconnect between current legislation and state views, and the current and future experiences of the public. Mass protests have historically been agents of positive social change (e.g. suffragettes, climate marches); limitations will have a negative impact on the development of a fairer society. Any provision that limits the right to protest is a provision which threatens the political freedom, social security, and well-being of future generations.

AMENDMENTS FOR FUTURE GENERATIONS

**Amendment Stage:
Committee Stage (18th May)**

- A** An amendment recognising that protests are instigated to safeguard the rights of Future Generations, therefore amending sections [Right to Protest] 54-56 and 60].
- A** An amendment that inserts a future generations defence provision into Bill: 'For the purposes of this Bill, the protection and rights of Future Generations shall be taken into account in any assessment undertaken by the Secretary of State.'
- A** An amendment to remove the requirement of the courts to impose the minimum statutory term for certain repeat offences unless there are exceptional circumstances (outlined in Part 7, Chapter 1 of the Bill), in order to safeguard long-term judicial fairness and proportionality.

SUGGESTED QUESTIONS AND INTERVENTIONS

**Answering Department:
The Ministry of Justice**

- ?** To ask the Secretary of State to confirm whether he used standard procedures set out in the government's Green Book to compare the potential short-term disruption caused by a demonstration against long-term benefits of the rights to protest?
- ?** To ask the Secretary of State what additional codes of practice, reporting and liaison requirements he will put in place to ensure that additional police powers are being used a) proportionately and b) without discrimination.

Future Check: Police, Crime, Sentencing and Courts Bill

SUGGESTED QUESTIONS AND INTERVENTIONS

**Answering Department:
Ministry of Justice**

? To ask the Secretary of State to provide evidence that provision for new offences and the modification of existing offences maintains consistent proportionality between crimes and their respective punishments? The proposed changes (relating to public order) place a higher sentence on inflicting under £5,000 worth of damage to statues and monuments than they do for inflicting grievous bodily harm, violent disorder and upskirting.

? To ask the Secretary of State to clarify the scope of the provision which increases the severity of sentences for acts of criminal damage under £5,000 to statues or monuments? Does this apply to perpetrators of racism/sexism/offensive damage or intent, or specially those protesting against it?

TO CONSIDER

Provisions which increase penalties for damage to memorials do not take into account that many memorials in the UK would not be permitted to be erected under current legislation, since they celebrate individuals or causes which are no longer considered acceptable, or cause offence to sections of society.

Future Generations will suffer if their country does not support the values of their time.

For support drafting questions or amendments for future generations, contact secretariat@appgfuturegenerations.com

About Future Check

Future Check is a citizen-led service supported by the APPG for Future Generations and the School of International Futures.

It's designed to help parliamentarians, policymakers and the public consider the long-term impact of proposed legislation.

Each Future Check uses a structured methodology across over 40 impact areas and is reviewed by at least one other volunteer before being reported by the APPG to parliamentarians and the public

A Future Check cannot guarantee to find all of the potential consequences of a policy or make a final judgement of whether the policy is fair or unfair to people now and in the future. But it can highlight issues that might not be visible at first glance and create conversations about the future we want to shape through our actions today.

Alongside impacts and policy gaps, the Future Check outlines questions and amendments that Parliamentarians may use to increase the long-term focus of the proposed legislation.

To Learn More and Get Involved

- Learn about at APPG Future Generations Events at www.appgfuturegenerations.com
- Read about the Framework for Intergenerational Fairness at soif.org.uk/igf
- Volunteer to help do Future Check assessments at secretariat@appgfuturegenerations.com

Future Check is adapted under Creative Commons license for non-commercial use from the Framework for Intergenerational Fairness, created by the Calouste Gulbenkian Foundation and School of International Futures. The framework – which allows for the systematic evaluation of public policies for intergenerational fairness – can be applied by national and local government, international organisations, foundations, businesses and special interest groups. Policies that are fair from an intergenerational standpoint allow people of all ages to meet their needs in the present without compromising the ability of future generations to meet their own needs in the future.

 FUNDAÇÃO
CALOUSTE GULBENKIAN

  FUTURE GENERATIONS

 **soif** SCHOOL OF
INTERNATIONAL
FUTURES